

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 482 OF 2007

P. Sampath Kumar ..Petitioner

Vs.

Dilip L. Arora and anr. ..Respondents

Mr. Rajiv Patil i/by Mr. M.S. Sawant for petitioner.

Mr. K.S. Patil for respondent no.1.

Mr. S.R. Shinde, APP for State.

CORAM: B.H. MARLAPALLE, J.

Date : July 30, 2007.

P.C.:

. Heard Mr. Rajiv Patil with Mr. M.S. Sawant the learned counsel for the petitioner who seeks to challenge the order of issuance of process passed on 7/9/2006 by the learned Metropolitan Magistrate's 21st Court at Bandra, Mumbai. Mr. K.S. Patil appears for the complainant and the learned APP appears for the State.

. Admittedly, the order of process has not been

challenged by filing a Criminal Revision Application under Section 397 of Cr.P.C. Mr. Rajiv Patil states that the petitioner would approach the Sessions Court with a Criminal Revision Application and, therefore, he seeks leave to withdraw this petition.

. The petition is disposed as withdrawn with liberty to approach the Sessions Court with a Criminal Revision Application and if the same is filed within two weeks from today, the period of pendency of this petition from 12/3/2007 till today shall be taken into consideration for condonation of delay, if any.

(B.H. Marlapalle, J.)